



# Arizona Address Confidentiality Program

Office of the Secretary of State – Ken Bennett



## Criminal Justice Agencies Frequently Asked Questions

### What is the Address Confidentiality Program (ACP)?

ARS §41-162

The ACP is a program that offers survivors of domestic violence, sexual offenses, and stalking another way to keep themselves and their family safe by assisting them in protecting their confidential location from being disclosed through public records. ACP provides certified participants a legal substitute address and mail forwarding services. The ACP is part of an overall safety plan.

### Is the ACP a new program?

ARS §§41-162, 41-169

Yes. The ACP was signed into law April 19, 2011 and is administered by the Office of Secretary of State. Laws governing the program are located in Title 41, Article 3 and will be funded by a \$50 assessment levied on persons convicted of crimes outlined in statute.

### How will I know if I am interacting with an ACP participant?

It is the ACP participant's responsibility to identify themselves as an ACP participant and present his/her ACP authorization card to any local or state government agency or official when requesting services. For verification of a person's enrollment status in the ACP, you may call the government agency ACP line at (602) 542-1892.

### What does the ACP Authorization Card look like?

As depicted in the sample card below, the ACP card shows the participant's substitute address including their apartment number and the participant's signature. It is only to be used to show they have the authority to use the substitute address.

|  |  |                                |  |   |
|--|--|--------------------------------|--|---|
|   |  | State of Arizona               |  |  |
| Address Confidentiality Program  |  |                                |  |   |
| Jane Smith   |  | Date of Issuance: 00/00/2012   |  |   |
| 1901 W. Madison St.  |  | Date of Expiration: 00/00/2016 |  |   |
| Apt. # 000   |  |                                |  |   |
| Phoenix, AZ 85009  |  |                                |  |   |
| <p>Pursuant to ARS 41-163, the above named person is authorized to use the following substitute address for all legal purposes. If you have any questions pertaining to this card and the program, please call the appropriate phone</p> <p>Government Agencies Only: (602) 542-1892<br/>Participant and General Information: (602) 542-1653</p> |  |                                |  |   |

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| <p>_____<br/>Signature of Participant or Parent/ Guardian</p> <p>If a program participant submits a current and valid address confidentiality program authorization card to the state or local government entity, the state or local government entity shall accept the substitute address designation on the card as the program participant's address for use as the program participant's residential, work or school address when creating a new public record. The substitute address is considered the last known address of the participant. Government entities may make a photocopy of the card for their records, but shall immediately return the card to the participant. (ARS §41-166(B))</p> |
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**What are the responsibilities of the criminal justice agencies and officials when a participant presents an ACP authorization card?**

ARS §41-166 (B)

Criminal justice agencies and officials must accept the substitute address shown on the ACP authorization card when presented by the ACP participant for use as their residential, work, or school address. The substitute address is considered his/her legal address of record. The government agency may make a photocopy of the card for record keeping.

**What is my responsibility if the participant gives me their actual confidential address, and does not identify themselves or show me the ACP authorization card?**

ARS §41-166 (A)

If the participant provides you their confidential address and does not identify themselves as an ACP participant, then you have no responsibility to maintain the confidentiality of their address.

**Is the participant's substitute address confidential?**

No. Only the ACP participant's actual address is confidential.

**What if a criminal justice agency needs the actual address of an ACP participant to fulfill their legal authority?**

A criminal justice agency may seek an Emergency or Standard Request of Disclosure for Authorized Use from the Director of ACP to release an ACP participant's confidential actual address. For instructions on how an agency requests the information from ACP can be found on our website.

**How does the ACP participant receive legal documents such as service of process from the courts, prosecution, or other criminal justice agency/officials?**

ARS §41-162 (C)

The ACP accepts legal mail on behalf of the ACP participant. When a person enters into the ACP they designate the ACP as their legal agent for receipt of mail and service of process. When ACP receives the service on behalf of the participant, it is the same as a participant receiving service. A participant's failure to comply with any legal document served could find the participant in contempt of court. Delay in mail cannot be used as an excuse to the court when failing to abide by the directions included in the legal document.

**Will ACP notify the courts of an applicant involved in a pending court action or court order?**

ARS §41-167

Yes. ACP will only notify the clerk of court if a participant in our program is currently involved in a court action or is under a court order in cases involving dissolution of marriage, child support or the allocation of parental responsibilities or parenting time.